

## CLAIM AMENDMENTS

Please amend Claims 1-9 as follows.

1. (Currently Amended) A facsimile apparatus for reading image data of a both-side original and transmitting it, comprising:  
reading means for reading images on both sides of the original;  
discriminating means for discriminating whether effective image data is included on both sides of the original read by said reading means or not; and  
control means for executing notifying a partner side that a both-side transmission of the image data read from the both sides of the original is to be executed, and transmitting the image data according to a both-side transmitting protocol, if it is determined by said discriminating means that at least one sheet of original in which the effective image data is included on the both sides exists, and executing for notifying the partner side that a one-side transmission of the image data read from a front side of the original is to be executed, and transmitting the image data according to a one-side transmitting protocol in the other cases.

2. (Currently Amended) An apparatus according to Claim 1, wherein even if at least one sheet of an original in which the effective image data is included on the both sides exists, when a receiver on a the partner side does not have a both-side transmission mode, it is notified to the partner side that the one-side transmission is to be executed and only the sides including the effective image data are transmitted in order from the front side and a reverse side by using a the one-side transmitting procedure.

3. (Currently Amended) An apparatus according to Claim 1, further comprising operating means for designating a compulsory front side reading mode for reading only the image on the front side of the original,

wherein when said compulsory front side reading mode is selected by said operating means, ~~even if at least one sheet of original in which the effective image data is included on the both sides exists, during which~~ only the front side of the original is read without the reverse side being read, the partner side is notified that the one-side transmission is to be executed and the read image data is transmitted in a one-side mode by using the one-side transmitting protocol.

4. (Currently Amended) A control method of a facsimile apparatus for reading image data of a both-side original and transmitting it, comprising:

a discriminating step of discriminating whether effective image data is included on both sides of the read original or not; and  
a control step of executing notifying a partner side that a both-side transmission of the image data read from the both sides of the original is to be executed, and transmitting the image data according to a both-side transmitting protocol, if it is determined by said discriminating step that at least one sheet of original in which the effective image data is included ~~on the~~ both sides exists, and executing for notifying the partner side that a one-side transmission of the image data read from a front side of the original is to be executed, and transmitting the image data according to a one-side transmitting protocol in the other cases.

5. (Currently Amended) A method according to Claim 4, wherein even if at least one sheet of an original in which the effective image data is included on the both sides exists, when a receiver on a the partner side does not have a both-side transmission mode, it is notified to the partner side that the one-side transmission is to be executed and only the sides including the effective image data are transmitted in order from the front side and a reverse side by using a the one-side transmitting procedure.

6. (Currently Amended) A method according to Claim 4, wherein when a compulsory front side reading mode for reading only a image on the front side of the original is selected, even if at least one sheet of original in which the effective image data is included on the both sides exists; during which only the front side of the original is read without the reverse side being read, the partner side is notified that the one-side transmission is to be executed and the read image data is transmitted in a one-side mode by using the one-side transmitting protocol.

7. (Currently Amended) A computer-readable memory medium which stores a control program for a facsimile apparatus for reading image data of a both-side original and transmitting it, wherein said control program comprises:

a discriminating step of discriminating whether effective image data is included on both sides of the read original or not; and  
a control step of executing notifying a partner side that a both-side transmission of the image data read from the both sides of the original is to be executed, and transmitting the image data according to a both-side transmitting protocol, if it is

determined by said discriminating step that at least one sheet of original in which the effective image data is included on the both sides exists, and executing for notifying the partner side that a one-side transmission of the image data read from a front side of the original is to be executed, and transmitting the image data according to a one-side transmitting protocol in the other cases.

8. (Currently Amended) A medium according to Claim 7, wherein said medium stores a control procedure for notifying the partner side that the one-side transmission is to be executed and transmitting only the sides including the effective image data in order from the front side and a reverse side by using a one-side transmitting procedure when a receiver on the partner side does not have a both-side transmission mode even if at least only one sheet of an original in which the effective image data is included on the both sides exists.

9. (Currently Amended) A medium according to Claim 7, wherein said medium stores a control procedure for reading only the front side of the original even if at least one sheet of original in which the effective image data is included on the both sides exists when a compulsory front side reading mode for reading only an image on the front side of the original is selected without the reverse side being read, and for notifying the partner side that the one-side transmission is to be executed, and transmitting the read image data in a one-side mode by using the one-side transmitting protocol.